

AMENDED IN ASSEMBLY JUNE 19, 2003

AMENDED IN SENATE MAY 7, 2003

AMENDED IN SENATE APRIL 21, 2003

SENATE BILL

No. 118

Introduced by Senator Bowen

February 3, 2003

An act to amend Section 303 of the Public Utilities Code, relating to the Public Utilities Commission.

LEGISLATIVE COUNSEL'S DIGEST

SB 118, as amended, Bowen. Public Utilities Commission: conflict of interest.

Under existing law, no person may be appointed to or hold the office of public utilities commissioner who also is employed by, holds any official relation with, owns stocks or bonds of, or is in any manner pecuniarily interested in, any corporation or person that is subject to regulation by the commission. Existing law requires the commission to adopt an updated Conflict of Interest Code and Statement of Incompatible Activities, by February 28, 1998, in a manner consistent with applicable law.

This bill would provide that the office of any commissioner who voluntarily acquires a financial interest, *as defined*, in a corporation or person that the commissioner knows or should know is subject to regulation by the commission, will immediately become vacant, and would require the commission to adopt an updated Conflict of Interest Code and Statement of Incompatible Activities, by February 28, 2004, in a manner consistent with applicable law.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 303 of the Public Utilities Code is
2 amended to read:
3 303. (a) A public utilities commissioner may not hold an
4 official relation to, nor have a financial interest in, a person or
5 corporation subject to regulation by the commission. If any
6 commissioner voluntarily acquires a financial interest in a
7 corporation or person that the commissioner knows or should
8 know is subject to regulation by the commission, his or her office
9 shall immediately become vacant. If any commissioner acquires
10 a financial interest in a corporation or person subject to regulation
11 by the commission other than voluntarily, his or her office shall
12 become vacant unless within a reasonable time he or she divests
13 himself or herself of the interest.
14 (b) The commission shall adopt an updated Conflict of Interest
15 Code and Statement of Incompatible Activities, by February 28,
16 2004, in a manner consistent with applicable law.
17 (c) *For purposes of this section, "financial interest" includes*
18 *those interests enumerated in subdivisions (a) through (e),*
19 *inclusive, of Section 87103 of the Government Code.*

